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The Committee's Memorial.

Being the Goalers and Keepers of Newgate, Marshalsea, King's Bench, Burrough Court, White Chappel, Clink, Westminster Gate-House, the City Compters, &c. Bloody Calender, with the Examination of the Prisoners therein confin'd; by the Honourable Esq; Ogleshorp and Mr. Alderman Parsons, with the rest of the Honourable Committee of the House of Commons, with the Number and Description of the Irons and Instruments used for torturing poor Debtors: As Head Caps, Ruffs, Cravats, Arm-stretchers, Leg-binders Thum-Irons, of Screws; with the barbarous and inhuman Practices to the said Prisoners, with their several Rooms and Places of torment. As that of Little Ease, Dead Room, Strong Room, Room of State, &c. To which is added, Reasons for an Act of Grace: And a Bill for the better Regulation of the Law.

REASON I.

THAT the imprisoning persons for Debt, who are not of Ability to pay their said Debts, is not only unchristian but inhuman, and can in no wise be construed, doing as we would be done by. *As also* That the imprisoning persons for Debt, was Introduced into this Nation amongst *French* Laws; and that Kingdom from whom we received it, were so thoroughly convinc'd of the ill Tendency it had to the Destruction of Mankind, that they found it long since necessary to abrogate the same.

II. That the many Thousands of poor prisoners confin'd for Debt, and in no wise capable of getting their liberty, are both a loss and Charge to the Nation, and such as succour them, which must necessarily amount to an infinite Sum of Money yearly, beyond what has been imagin'd.

III. That the maintaining of Prisons, Goalers and persons employed under them is a very great Expence, which must chiefly arise from Such unfortunate persons, or their Friends who come under their Charge

IV. That the Sergeants belonging to each Compter with their Yomen are 56, with 200 Sheriffs, Officers and their Followers double the Number, that the Marshalsea Court Officers are about 600 and their Followers, likewise double the Number, that the White-Chappel Officers and their Followers, upwards of 500, that the Borough Compter and Clink are about 70, and about 100 belonging to the High-Bailiff of Westminster amounting in all to upwards of 3000 and all withis litle less than 12 Miles of London. A hopeful parcel to live upon the Spoil of Industry

V. To which let us add, the Charge of the Writs; Solicitors, Attorneys, Counsellors and Judges Fees, *Habeas Corpus's*, Commitment and

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Dismission, and put the Balance, of the Creditors Charge in the other Scale, and I'll engage the Charge amounts to more than the Debts. All which comes out of the Creditors Account, who tamely sits down and pulls off his Hat to the Attorneys, and if his Debtor dies in Goal, he pays the Charge of the Prosecution, besides the loss of his Debt. Besides this loss to the Creditor, with the ruin of the Debtor, the Charge of which would maintain a good Fleet of Ships against the Enemy. Let us consider the Hardships the poor Debtor sustains in Prison, unknown or designed by the honest Creditor, whose Interest was only to sue him for his just Debt, and many times is incapable himself to help his Debtor, or even to pay the Lawyer's great Fees, when he is willing to discharge him.

VI. I would not have the Reader expect that I mean the Law wants mending so much as the Practice of it does, which gives unfair Practitioners the opportunity of making a Total Tracture in Justice, as for Example, suppose a Debt of 60*l.* recoverable at Law, or 20, or 30*l.* in Equity, you shall often loose more in taking your Cost then the Debt comes to; and be banter'd so audacioulsly into the Bargain, with your seeming Recovery; that the Debt had better have been lost at first, than ever to have sued for it.

VII. With a great deal of Concern may it be spoken, that there is a very pernicious Custom, for Councellors Goalers, &c. To give the Judges New Years Gifts; every Marshall and Warden, must present a Green Purse and yellow Dust, or the higher Powers are very cloudy; Can all this be for any other Reason but to purchase unjust Favours? Tell not these things in *Gath*, let not the uncircumcised hear of it. And among other Things for better Regulation of Practice; It may not be amiss, could it be order'd as follows.

VIII That all Bailiffs, Sergeants, Yeomen, and all such Cannibals and Oppressers are to have no Followers or Deputies, and will be obliged to wear a Livery, with a proper Badge of their Authority upon one of their Arms, with a white Wand to distinguish them; from the Honest and Industrious part of the World, and to wear Hats of a different Colour to represent the remarkable Office of a Catch-pole. For as the Prudence of all orderly Governments have thought proper to distinguish the Soldiery by peculiar Livery as they are, the Defenders and Preservers of their Country, so it cannot be any ways improper; to let the Publick know such as destroy and oppress the Fellow Creatures, by some publick Mark of *Infamy*.

We next proceed to the Goalers, who are the vilest Miscreants in the World, and of those the vilest in *England*, are D—y the Keeper of the M—sea and his Bloody Turnkey A—n, the Master being as Ignorant as the Man inhuman; D—y indeed has an Hereditary Title to the Rogueries of the Place, and the latter thinks himself as well justified in the barbaries he daily puts in Execution, from his being bred a Butcher. Mr. D—y the Master has the Impudence to Lodge ten or twelve Prisoners in a Room, and Extorts from each 2*s.*

and 6 d. a Week Chamber Rent, and 1 s. every time they have clean Sheets.

It appearing that Mr. *Bambridge* hath wilfully permitted several Debtors to the Crown, in great Sums of Money, as well as Debtors to divers of his Majesties Subjects to escape, hath been guilty of the most notorious Breaches of Trust, great Extortions, and the highest Crimes and Misdemeanors in the Execution of his said Office, and hath arbitrarily and illegally loaded with Irons, put into Dungeons, and destroyed Prisoners for Debt under his Charge, Treating them in the most barbarous and cruel Manner, in high Violation and Contempt of the Laws of this Kingdom, and that *John Huggins* Esq; late Warden did in like Manner during the Time of his Wardship, wilfully permit many considerable Debtors in his Custody, to escape and was notoriously Guilty, of great Breaches of his Trust, Extortions and Cruelties and other high Crimes and Misdemeanors, to the great oppression and ruin of many of the Subjects of this Kingdom: And also that *John Barnes* Wil. *Pendar*, *John Everett* and *Thomas King*, were Agents and Accomplices with the said *Tho. Bambridge*. And accordingly the Honourable House of Commons Address'd his Majesty, that he would be graciously pleased, to direct his Attorney-General, forthwith to prosecute the said *Thomas Bambridge* and *John Huggins* Esqrs; *James Barnes*, *Will. Pendar*, *John Everett* and *William King*; and in order thereunto they were all committed to Newgate.

Hereupon the said *Thomas Bambridge*, on Saturday April 12, Petitioned the Honourable House of Commons, praying, that he may be heard by himself and Council, against the said Bill, at such time as the Council shall think fit. Whereupon the said *Thomas Bambridge*, was allowed Council and a Solicitor to advise him in Order to make his Defense.

There is at this Time more particular Reasons for publications of this Nature, vvhhen the most notorious Murthers are committed vvithout Impunity; of vvvhich the following is a very remarkable Instance. A Gang of Turnkeys and Bailiffs not long since, vvith Fire Arms and other Instruments of War, under the Pretence of a trifling Riot, enter'd as a *Posse* into the *King's Bench* Prison, and Murther'd on Mr. *Allen* a Debtor upon the spot, vvho vvvas setting unconcern'd smocking his Pipe, vvithout any thing near him for his Defence; and vvounded several others vvho vvvere no vvways concern'd in the said pretended Riot.

Besides this, it is notorious that not only the Prison Allowance, but even Charities, vvvhich have been Contributed towards the Relief of Insolvent Debtors in Newgate, the Compters, *Marshalsea* Borough Compter, the *Clink* Gatehouse, *Westminster* and *White Chapel* Prisons; have been detained and misapply'd, whereby many poor Insolvent Debtors, have been cruelly starv'd to Death, vvith other unheard of ill Usage too long to be related here, particularly locking Debtors into the dead Room, setting others in the Stocks, because they can't raise Money to pay for Garnish; putting such as are taken vvith the Small Pox into Rooms, vvith such Debtors as vvvere never infected, screwing Debtor's Thumbs together till the Blood springs out; vvith Ironing and Manacling of Prisoners at their Pleasure, in the most inhuman manner that can be invented; vvith a hundred several sorts of Instruments for Torture.

Besides all this, they have several Places in their Prisons where they confine Debtors contrary to Law, some of which go by these Names, viz. the dead Room, strong Room, Room of State, Little Ease, &c.

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The Keeper of *Newgate* received the Speakers Warrants to bring in safe Custody upon *Friday* Morning the 18th of *April*, the said *Thomas Bambridge* order to make his Defence before the Committee of the Honourable House of Commons appointed to Examine him, if the said *Thomas Bambridge* thinks fit.

And the said *Thomas Bambridge* was ordered to send Mr. Speaker a List of the Names of such Prisoners in the Fleet Prison as he should desire may be brought up in order to their being Examined as Witnesses before the said Committee for the said Bill, as there shall be Occasion.

Upon the whole as Mr. *Bambridge* expected his Creatures, who were always at his Service while under his Ward, would have continued their former Cant; and even those whom he most Trusted too; would be favourable in their Examinations he found himself disappointed: For as they were before under his immediate Command, and must either starve or be obedient to his Arbitrary Will; he found now had their Consciences at Liberty, and what was the most Terrible, that Worthy and Honourable Gentleman, that would not be trifled with. Thus is that mighty and wonderful Oppressor even Oppressed himself; only with this Difference, that, as he himself Oppressed others contrary to Law: He himself is Oppressed (if we could so term it in his Favour) by a just and due Course of Law.

Accordingly Mr. *Higgins*, Mr. *Bambridge* and *W. Pindar* were carryd up on *Friday* the 18th of *April*, with several Prisoners to give Evidence in that Affair, and Mr. *Bambridge* was heard by his Council Mr. *Fazakerly* and Mr. *Strange*, but what the Prisoner offer'd in his Defence was rather an Aggravation of his Guilt, which appear'd to be of the blakest Crimes imaginable.

At the same time Captain *Mackphedris*, a Principal Sufferer spoke with a great deal of Freedom and Exactness; The Defendant was not able to Invalidate his Evidence, or deny the Facts he charged him with. In short he made but a sorry and frivolous Defence; and his Witnesses were so far from supporting his Cause, that they appeared rather on the Captains side. There is also a Charge laid against Mr. *Higgins*, which if proved will consequently bring him under the same Circumstances with Mr. *Bambridge*, which appears to be as follows. About four Years ago, one *Herne* an Upholder in *Covent Garden*, and a Prisoner in the Fleet, was committed to a new wet Dungeon, and therein confin'd, for the Space of fourteen Days whereby he was most inhumanly starved to Death. One *Gibson* was then Deputy Warden under Mr. *Higgins* and it not plainly appearing by which of their Order it was done, both escaped Punishment at that Time; but tis said, There are sufficient Witnesses to prove the said Fact, and tis not doubted but more will appear when a Prosecution shall be Commenc'd.

The Bill depending for the Relief of Insolvent Debtors, Discharges all that were Prisoners before *Michaelmas* last without any limited Sum, which includes the most considerable Debtors, as well those confin'd for small sums.

It likewise includes all such as shall have been confin'd since *Michaelmas* last, whose principal Debts shall not amount to upwards of twenty Pounds to one Person.

N. B. That according to the Computation of the real Number of confin'd Debtors in the several Goals of this Kingdom; it is computed that not less than ninety thousand Debtors will be released when this Bill shall have Royal Assent, be passed into an Act.